



Patitioner's Docket No.: 791\_146 CIP

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Hiroshi NEMOTO, Teruhisa KUROKAWA and Kenshin KITOH

Ser. No.: 09/870,372

Group Art Unit: 1746

Filed: May 30, 2001

Examiner: Jonathan S. Crepeau

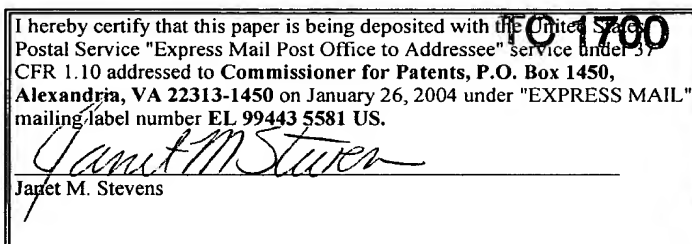
Confirmation No.: 8047

For: LITHIUM SECONDARY BATTERY

**RECEIVED**

**FEB 05 2004**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**DECLARATION UNDER 37 CFR §1.132**

Sir:

I, Kenshin Kitoh, declare as follows:

1. I have read and understood the specification and claims set forth in the above-identified patent application.
2. I am a co-inventor in the above-identified application.
3. I am a co-inventor in Japanese publication number 2000-149886.
4. Teruhisa Kurokawa and I are co-inventors of the subject matter recited in claims 2, 10, 18 and 19 of the above-identified patent application.

5. Teruhisa Kurokawa, Hiroshi Nemoto and I are co-inventors of the subject matter recited in claims 3-9 and 12-17 of the above-identified patent application. To the extent that Japanese publication number 2000-149886 contains subject matter that the U.S. Patent and Trademark Office believes would render obvious any of claims 3-9 and 12-17 of the above identified patent application, such subject matter resulted from invention by Teruhisa Kurokawa, Hiroshi Nemoto and I.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: Jan. 22<sup>nd</sup> 2004

Kenshin Kitoh

Kenshin Kitoh